ORDINANCE #2026- 18

AN ORDINANCE OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, VACATING ALL OF THE RIGHT, TITLE, AND INTEREST OF THE BOROUGH OF SURF CITY IN A RIPARIAN GRANT ON A PORTION OF BLOCK 65, LOT 35

WHEREAS, in 1966 the Borough of Surf City (hereinafter "Borough") acquired a riparian grant covering claims that traversed Borough owned properties, as well as privately held properties in the Borough; and

WHEREAS, Barbara G. Fleming (hereinafter "Property Owner") is the owner of property known and designated as Block 65, Lot 35 as shown on the Tax Map of the Borough of Surf City and commonly known as 289 North Second Street (hereinafter "property"); and

WHEREAS, a portion of the property is also part of the same premises conveyed to the Borough by riparian grant from the State of New Jersey resulting in a tidelands claim on the property; and

WHEREAS, the limits of property included in the grant from the State of New Jersey exceeded the boundaries of municipally owned properties resulting in potential tidelands claims by the Borough on privately owned properties; and

WHEREAS, the property owner has requested that the Borough vacate the riparian grant which covers a portion of the subject property;

NOW THEREFORE BE IT ORDAINED by the governing body of the Borough of Surf City, County of Ocean and State of New Jersey, as follows:

SECTION 1. There is hereby vacated all of the right, title, and interest for all public usages and purposes in that portion of the property known as Block 65, Lot 35 conveyed to the Borough by riparian grant from the State of New Jersey which was recorded May 11, 1966 in the Ocean County Clerk's Office in Book 2584 Page 425 in accordance with the provisions of N.J.S.A. 40A:12-13 et seq, a copy of which is attached hereto and made a part hereof as Schedule "A".

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COUNSELLORS AT LAW

620 WEST LACEY ROAD
FORKED RIVER, N.J. 08731

SECTION 2. At least one (1) week prior to the time fixed for further consideration for final passage of this ordinance, a copy hereof, together with a notice stating the introduction of the ordinance on first reading and the time and place when and where the ordinance will be considered for final passage, shall be mailed to every person whose lands may be affected by the adoption of the ordinance.

SECTION 3. This ordinance shall be published at least once in an official newspaper of the Borough of Surf City at least ten (10) days prior to the time fixed for consideration of the final passage of the ordinance.

SECTION 4. The Borough Clerk, if this ordinance is adopted on final reading, shall submit a certified copy of this ordinance, together with proof of publication, to the Ocean County Clerk's Office for recording in the Book of Vacations.

SECTION 5. This ordinance shall take effect after the second reading and publication as required by law.

SECTION 6. A copy of Schedule A as referenced herein shall be kept on file and made available for public inspection in the Municipal Clerk's Office during normal business hours.

SECTION 7. Barbara G. Fleming shall be responsible for the payment of all attorney's fees, engineering fees, publication costs, and filing fees, incurred by the Borough of Surf City (as outlined in the agreement) in regard to this vacation.

SECTION 8. That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents necessary to vacate and/or transfer title to the property owners.

SECTION 9. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

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SECTION 10. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the forgoing Ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Surf City held on the 14th day of October, 2026, and will be considered for second reading and final passage at a meeting of the Borough Council to be held on the 11th day of November, 2026, at 7:00 p.m. at the Municipal Building, located at 813 Long Beach Boulevard, Surf City, New Jersey, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.

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CHRISTINE HANNEMANN, RMC/CMC
Borough Clerk/Administrator, Borough of Surf City

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